

and biometric data of a known or exemplar signature image.

*Director* means the Director of the Office of Personnel Management.

*Electronic communication* refers to any information conveyed through electronic means and includes electronic forms, applications, elections, and requests submitted by email or any other electronic message.

*Electronic Official Personnel Record Folder (e-OPF)* means the electronic Official Personnel Folder application that will replace the current paper personnel folder across the Government.

*Electronic retirement and insurance processing system* means the new retirement and insurance processing system created by OPM's Retirement Systems Modernization (RSM) initiative.

*Employee* means an individual, other than a Member of Congress, who is covered by CSRS or FERS.

*Enterprise Human Resources Integration (EHRI)* means the comprehensive electronic personnel record-keeping and analysis system that supports human resources management across the Federal Government.

*FEGLI* means the Federal Employees' Group Life Insurance Program established under chapter 87 of title 5, United States Code.

*FEHB* means the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

*FERS* means the Federal Employees' Retirement System established under chapter 84 of title 5, United States Code.

*Member* means a Member of Congress as defined by section 2106 of title 5, United States Code, who is covered by CSRS or FERS.

*Non-cryptographic method* is an approach to authenticating identity that relies solely on an identification and authentication mechanism that must be linked to a specific software platform for each application.

*Personal identification number (PIN) or password* means a non-cryptographic method of authenticating the identity of a user of an electronic application, involving the use of an identifier known only to the user and to the electronic system, which checks the identi-

fier against data in a database to authenticate the user's identity.

*Public/private key (asymmetric) cryptography* is a method of creating a unique mark, known as a digital signature, on an electronic document or file. This method involves the use of two computer-generated, mathematically-linked keys: a private signing key that is kept private and a public validation key that is available to the public.

*RFEHB* means the Retired Federal Employees Health Benefits Program established under Pub. L. 86-724, 74 Stat. 849, 851-52 (September 8, 1960), as amended.

*Shared service centers* are processing centers delivering a broad array of administrative services to multiple agencies.

*Shared symmetric key cryptography* means a method of authentication in which a single key is used to sign and verify an electronic document. The single key (also known as a "private key") is known only by the user and the recipient or recipients of the electronic document.

*Smart card* means a plastic card, typically the size of a credit card, containing an embedded integrated circuit or "chip" that can generate, store, or process data. A smart card can be used to facilitate various authentication technologies that may be embedded on the same card.

#### § 850.104 Implementing directives.

The Director must prescribe, in the form he or she deems appropriate, such detailed procedures as the Director determines to be necessary to carry out the purpose of this part.

#### § 850.105 Agency responsibility.

Agencies employing individuals whose retirement records or processing are affected by this part are responsible for counseling those individuals regarding their rights and benefits under CSRS, FERS, FEGLI, FEHB, or RFEHB.

#### § 850.106 Electronic signatures.

(a) Subject to any provisions prescribed by the Director under § 850.104—

(1) An electronic communication may be deemed to satisfy any statutory or regulatory requirement under

## § 850.201

CSRS, FERS, FEGLI, FEHB or RFEHB for a written election, notice, application, consent, request, or specific form format;

(2) An electronic signature of an electronic communication may be deemed to satisfy any statutory or regulatory requirement under CSRS, FERS, FEGLI, FEHB or RFEHB that an individual submit a signed writing to OPM;

(3) An electronic signature of a witness to an electronic signature may be deemed to satisfy any statutory or regulatory requirement under CSRS, FERS, FEGLI, FEHB or RFEHB for a signature to be witnessed; and

(4) Any statutory or regulatory requirement under CSRS, FERS, FEGLI, FEHB or RFEHB that a signature be notarized may be satisfied if the electronic signature of the person authorized to sign is attached to or logically associated with all other information and records required to be included by the applicable statute or regulation.

(b) For purposes of this section, an electronic signature is a method of signing an electronic communication, including an application, claim, or notice, designation of beneficiary, or assignment that—

(1) Identifies and authenticates a particular person as the source of the electronic communication; and

(2) Indicates such person's approval of the information contained in the electronic communication.

(c) The Director will issue directives under § 850.104 that identify the acceptable methods of effecting electronic signatures for particular purposes under this part. Acceptable methods of creating an electronic signature may include—

(1) Non-cryptographic methods, including—

(i) Personal Identification Number (PIN) or password;

(ii) Smart card;

(iii) Digitized signature; or

(iv) Biometrics, such as fingerprints, retinal patterns, and voice recognition;

(2) Cryptographic control methods, including—

(i) Shared symmetric key cryptography;

(ii) Public/private key (asymmetric) cryptography, also known as digital signatures;

## 5 CFR Ch. I (1–1–10 Edition)

(3) Any combination of methods described in paragraphs (c)(1) and (c)(2) of this section; or

(4) Such other means as the Director may find appropriate.

### Subpart B—Applications for Benefits; Elections

#### § 850.201 Applications for benefits.

(a)(1) Applications and related submissions that otherwise would be required by this chapter to be made in writing may instead be submitted in such form as the Director prescribes under § 850.104.

(2) Subject to any directives prescribed by the Director under § 850.104, applications and related submissions that are otherwise required to be made to an individual's employing agency (other than by statute) may instead be submitted to the electronic retirement and insurance processing system or to OPM.

(b) Data provided under subpart C of this part are the basis for adjudicating claims for CSRS and FERS retirement benefits, and will support the administration of FEGLI, FEHB and RFEHB coverage for annuitants, under this part.

(c) For the purposes of this subpart, “OPM notice” means the notice informing the retiree or other individual of the annuity computation rate and of the elections made by the retiree or other such individual eligible to make such an election and informing him or her of the time limit under § 850.202 or 850.203 for any election, revocation or change of election.

#### § 850.202 Survivor elections.

(a) A survivor election under subsection (j) or (k) of section 8339, or under section 8416, 8417, or 8420 of title 5, United States Code, which is otherwise required to be in writing may be effected in such form as the Director prescribes under § 850.104.

(b)(1) Except as provided in §§ 831.622(b)(1), 831.631, 831.632, 842.610(b)(1), 842.611, and 842.612 of this chapter, an individual making a survivor election at the time of retirement may not revoke or change that election later than 35 days after the